

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

<b>FRANK JAMES CAPOZZI, SR.,</b>	:	<b>Civil No. 3:17-cr-2169</b>
	:	
<b>Plaintiff,</b>	:	
	:	
<b>v.</b>	:	
	:	
<b>WARDEN TIM BETTI, et al.,</b>	:	
	:	
<b>Defendants.</b>	:	<b>Judge Sylvia H. Rambo</b>

**ORDER**

Before the court is a report and recommendation of the magistrate judge in which she recommends that this case be closed for failure to file an amended complaint in accordance with this court's order. (Doc. 33.) Objections were due by October 24, 2019, and to date no objections have been filed. Upon an independent review of the record, the court is satisfied that the report and recommendation contains no clear error and will therefore adopt the recommendation. Accordingly,

**IT IS HEREBY ORDERED AS FOLLOWS:**

- 1) The report and recommendation (Doc. 33) is **ADOPTED**;
- 2) The Clerk of Court is **DIRECTED** to close this case.

s/Sylvia H. Rambo  
Sylvia H. Rambo  
United States District Judge

Dated: November 4, 2019